IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO.1167 OF 2004
IN
NOTICE OF MOTION NO. 3597 OF 2003
IN
INCOME TAX APPEAL (L) No.1171 of 2003

The Commissioner of Income Tax .. Applicant
Mumbai XIX
vs

M/s A & P Developers .. Respondents

Mr.R.G.Bhat for Applicant

Mr.Y.R.Dubey for Respondents

CORAM : DR.S.RADHAKRISHNAN &
V.C.DAGA, JJ

DATE : 5th June, 2007

P.C.

1. Heard learned counsel for the applicant. Learned counsel for the applicant seeks leave to withdraw the appeal as the tax liability involved in the above is less than Rs.4,00,000/-. The appeal is allowed to be withdrawn and dismissed as such.

2. Permissible court fees be refunded to the applicant as per rules. However, questions raised in the above appeal arekept open.

(V.C.Daga, J) (Dr.S.Radhakrishnan, J)